

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Biosig Instruments, Inc.

Plaintiff,

v.

Nautilus, Inc.

Defendant.

JURY TRIAL DEMANDED

Case No. 10-cv-7722 (AKH)

NOTICE OF APPEAL

Notice is hereby given that Biosig Instruments, Inc. ("Biosig"), plaintiff in the above-captioned case, hereby appeals pursuant to 28 U.S.C. §§ 1292 & 1295 to the United States Court of Appeals for the Federal Circuit from the Judgment dated February 22, 2012 and entered on February 23, 2012 (Doc. No. 55), including the Grant of Nautilus, Inc. ("Nautilus")'s Motion for Summary Judgment of Invalidity of the claims of U.S. Patent 5,337,753 entered on that date (Doc. No. 55) and all prior orders, judgments and rulings entered in this action, including the claim construction order entered on September 29, 2011 (Doc. No. 32).

Dated: March 21, 2012

By: _____


Scott M. Zimmerman

John Bone

HEIDELL, PITTONI, MURPHY & BACH

99 Park Avenue

New York, NY 10016

Phone: 212-286-8585

Fax: 212-490-8966

szimmerman@hpmb.com

Local Counsel for Plaintiff

By: /s/ Michael Bonella

Michael Bonella

Paul Milcetic

Jenna Pellecchia

KESSLER TOPAZ MELTZER & CHECK

280 King of Prussia Road

Radnor, PA 19087

Phone: 610-667-7706

Fax: 610-667-7056

Attorneys for Plaintiff

Biosig Instruments, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2012, I filed the foregoing document via ECF which automatically delivered the document to the attorneys of record.



Scott M. Zimmerman